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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,283	11/14/2003	Michael Frid		9325
7590	10/31/2005			
Ilya Zborovsky 6 Schoolhouse Way Dix Hills, NY 11746			EXAMINER JOHNSON, VICKY A	
			ART UNIT 3682	PAPER NUMBER

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/712,283	FRID ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vicky A. Johnson	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Gresham (US 3,224,294).

Gresham discloses a speed control system for a vehicle comprising a pedal (12) displaceable by a foot of a user's leg so as to influence a corresponding action applied to a vehicle engine, and thereby to increase and to reduce a vehicle speed; and an additional pedal (88) which is spaced from and operatively connected with such first mentioned pedal, so that when one of said pedals is acted upon by the user's foot, the other of said pedals is also displaced, one of said pedals being located in an area reachable by a foot of a user's right leg, while the other said pedal being located in an area reachable by a foot of a user's left leg (see Fig 1); and means (14) for operatively connecting said two pedals with one another so as to provide their substantial movement.

Re claim 2, a braking pedal (80) for braking the vehicle, said pedals being spaced from one another in a horizontal direction and being located at both sides of said braking pedal as considered in the horizontal direction (see Fig 1).

Re claim 3, where said connecting means (14) include a mechanical connection which mechanically connects said pedals to one another (see Fig 1).

Re claim 4, said mechanical connection includes a substantially horizontal rod (14) pivotally attachable to a vehicle and two transverse extensions (36, 86) extending from ends of said rod and each associated with a respective one of said pedals (see Fig 1), so that when one of said pedals is displaced, the corresponding one of said extensions is turned and through the rod the turning of one of the extensions is transmitted to the another of said extensions so that said other extension is also turned and displaces the other pedal (see Fig 1).

3. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaul (US 3,543,606).

Kaul discloses a speed control system for a vehicle comprising a pedal (12) displaceable by a foot of a user's leg so as to influence a corresponding action applied to a vehicle engine, and thereby to increase and to reduce a vehicle speed; and an additional pedal (40) which is spaced from and operatively connected with such first mentioned pedal, so that when one of said pedals is acted upon by the user's foot, the other of said pedals is also displaced (see Fig 1), one of said pedals being located in an area reachable by a foot of a user's right leg (see Fig 1), while the other said pedal being located in an area reachable by a foot of a user's left leg (see Fig 1); and means (22, 24) for operatively connecting said two pedals with one another so as to provide their substantial movement.

Re claim 2, comprising a braking pedal for braking the vehicle (col. 1 lines 30-41), said pedals being spaced from one another in a horizontal direction and being located at both sides of said braking pedal as considered in the horizontal direction (see Fig 1).

Re claim 3, said connecting means include a mechanical connection which mechanically connects said pedals to one another (see Fig 1).

Re claim 5, each of said pedals is provided in a slidable guide (38, 20) in which a corresponding one of said extensions can slide during displacement of said pedals (see Fig 1).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


4,587,865	Winner	(dual pedals)
3,108,489	Self	(dual pedals)
3,199,269	Kaul	(dual pedals)
5,168,771	Fujimori	(dual pedals)
5,839,326	Song	(dual pedals)
4,312,246	Barresi	(dual pedals)
3,943,795	Kenney	(dual pedals)

Art Unit: 3682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Bucci can be reached on (571) 272-7099. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Vicky A. Johnson 10/27/05  
Examiner  
Art Unit 3682